

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

TRADEWINDS TOWING, LLC,

Plaintiff,

v.

SCHUYLER LINE NAVIGATION
COMPANY, LLC,

Defendant,

and

OCEANFIRST BANK, NATIONAL
ASSOCIATION,

Garnishee.

Civil Action No. 24-09343 (RK) (TJB)

**ORDER DIRECTING CLERK TO ISSUE
PROCESS OF MARITIME
ATTACHMENT AND GARNISHMENT;
AND APPOINTING PERSON TO SERVE
PROCESS**

Upon consideration of the Verified Complaint filed by Plaintiff Tradewinds Towing, LLC (“Plaintiff”), verified on September 20, 2024, (ECF No. 1), and the Verification of J. Stephen Simms, (*id.*), that there is no record of any general or resident agent authorized to accept service of process for Defendant Schuyler Line Navigation Company, LLC, in this District for the purpose of an attachment under Supplemental Admiralty B(1) and in support of an order appointing a special process server, and the Court having found that the conditions required by Rule B(1) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure exist, and good cause having been shown,

IT IS on this 24th day of September, **ORDERED** that:


1. **ORDERED**, that the Clerk of this Court is authorized to issue pursuant to Supplemental Rule B, as detailed in the Verified Complaint, Process of Maritime Attachment and Garnishment for all assets, cash, funds, credits, wire transfers, accounts, letters of credit,

electronic fund transfers, freights, sub-freights, charter hire, sub-charter hire, or any other tangible and/or intangible assets belonging to, due, claimed by, being held for or on behalf of, or being transferred for the benefit of Defendant, including, but not limited to any such assets as may be in the possession, custody or control of, or being transferred through any garnishee within this District, up to \$140,905.54 and as further demanded in the Verified Complaint, and said Order being equally applicable with respect to the issuance and service of additional writs of maritime attachment and garnishment upon any garnishees in this District not named herein, pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further,

2. **ORDERED**, that any person claiming an interest in the property attached or garnished pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at which the Plaintiff shall be required to show why the garnishment or attachment should not be vacated or other relief granted; and it is further,
3. **ORDERED**, that supplemental or further writs of maritime attachment and garnishment may be issued by the Clerk upon application without further Order of the Court; and it is further,
4. **ORDERED**, that Marc D. Haefner, or any other person at least 18 years of age and not a party to this action, appointed by him be and is hereby appointed to serve the Process of Maritime Attachment and Garnishment, and a copy of the Verified Complaint as issued in this case; and, it is further,
5. **ORDERED**, that following initial service of a writ of maritime attachment and garnishment on any Garnishee, supplemental service of maritime attachment and

garnishment writs on that Garnishee and related papers may be made by way of facsimile transmission or email to each such Garnishee and, it is further,

6. **ORDERED**, that service on any Garnishee as described above is deemed continuous throughout the day from the time of such service through the opening of the Garnishee's business the next business day; and, it is further,
7. **ORDERED**, that pursuant to Federal Rule of Civil Procedure 5(b)(2)(F), each Garnishee may consent, in writing, to accept service by any other means; and it is further,
8. **ORDERED**, that a copy of this Order be served with each said writ of maritime attachment and garnishment; and, it is further,
9. **ORDERED**, that to afford an opportunity for an expeditious hearing of any objections which might be raised by Defendant, or any Garnishee, a hearing may be set by calling the case manager of the undersigned.

A handwritten signature in black ink, consisting of a stylized 'R' followed by a large, loopy 'K' and a horizontal line extending to the right.

ROBERT KIRSCH
UNITED STATES DISTRICT JUDGE